

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN JAMES LAMENDOLA,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 3:14-2180
)	JUDGE CAMPBELL/KNOWLES
)	
ROBERT ARNOLD,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

The Court has received a letter from the pro se prisoner Plaintiff in this action which states in relevant part:

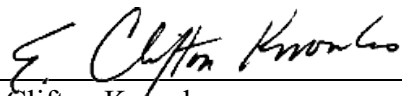
I would like to drop the case and no longer seek to prosecute the defendant. I would like the case to be dismissed and without cost to me I just no longer have the will to prosecute this case between everything that's going on. So I'm respectfully asking that it be dismissed without cost and that you consider and grant my request.

Docket No. 22.

Fed. R. Civ. P. 41(a)(2) provides in relevant part that an action may be dismissed at the plaintiff's request by court order, on terms that the court considers proper.

For the foregoing reasons, the undersigned recommends that the instant letter (Docket No. 22) be treated as a Motion filed pursuant to Fed. R. Civ. P. 41(a)(2), and that the Court grant that Motion and dismiss this action.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge